

## **CITY OF SEATTLE SEPA ENVIRONMENTAL CHECKLIST**

### **A. BACKGROUND**

**1. Name of proposed project, if applicable:**

Tree Protection Clarification Legislation

**2. Name of applicant:**

City of Seattle, Department of Planning and Development

**3. Address and phone number of applicant and contact person:**

Department of Planning and Development  
700 5<sup>th</sup> Avenue, Suite 2000  
Seattle, Washington 98104  
Contact: Brennon Staley, Urban Planner  
(206) 684-4625

**4. Date checklist prepared:**

May 11, 2010

**5. Agency requesting checklist:**

City of Seattle, Department of Planning and Development

**6. Proposed timing or schedule (including phasing, if applicable):**

Approval by Seattle City Council and Mayor in 3<sup>rd</sup> quarter 2010.

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

Permanent tree protection regulations are anticipated to be proposed in 2011.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

The Department of Planning and Development Director's Report has been prepared.

**9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

Various development proposals that involve tree removal could be affected by the application of the amendments. However, full details of individual proposals are neither reasonably available nor necessary to list in relation to this proposed non-project action.

**10. List any government approvals or permits that will be needed for your**

**proposal, if known.**

The ordinance will require approval by the City Council and the Mayor.

**11. Give brief, complete description of your proposal, including the proposed uses and the site of the project. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

This proposal would implement minor changes to SMC 25.11, Tree Protection, to clarify the intent of existing tree protection code as created in 2001 and amended in 2009. Specifically, the ordinance would make the following two minor revisions to SMC 25.11.040.

First, this proposal would change the term “undeveloped land” used in SMC 25.11.040.A to “undeveloped lots”. The Tree Protection code, as adopted in 2001, contained a prohibition on the removal of certain trees on “undeveloped land”. However, the definitions section of the code did not define this term, but rather defined a similar term “undeveloped lot”. The director’s report for the 2001 ordinance referred only to the term “undeveloped land” and no definition for either term was specified. While it is likely that these terms were intended to be interchangeable, the lack of definition in the code makes interpretation and enforcement more difficult as the terms are not the same. The proposed change would resolve this ambiguity by using a single consistent term throughout the subsection.

Secondly, this proposal would add a new phrase “In addition to the prohibitions in section 25.11.040.A,” to SMC 25.11.040.B. As currently worded, subsection A was intended to state when removal was prohibited and subsection B was intended to provide additional limits for other trees. However, when interpreted separately, subsection B may arguably conflict with subsection A by allowing up to three trees to be removed including those trees protected in subsection A (e.g., exceptional trees in certain zones). Essentially, the current standard in subsection B that no more than three trees may be removed could be interpreted to authorize the removal of one or two trees, which conflicts with the prohibition in subsection A. This ambiguity has prevented DPD from implementing the intended interim prohibition on the removal of exceptional trees in subsection A. This proposal would clarify that compliance with subsection B does not obviate the standards in subsection A.

Overall, the intent of this legislation is to clarify existing provisions rather than to create new requirements.

**12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

This is a non-project action affecting multiple parcels throughout the City. The

proposed legislation would apply to parcels in Lowrise, Midrise, and Commercial zones or on lots 5,000 square feet or greater in single-family or residential small lot zones as well as undeveloped lots throughout the city.

**TO BE COMPLETED BY APPLICANT: EVALUATION FOR AGENCY USE ONLY**

**B. ENVIRONMENTAL ELEMENTS:**

**1. Earth**

- a. General description of the site: (circle one) Flat, rolling, hilly, steep slopes, mountainous, other:**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- b. What is the steepest slope on the site (approximate percent slope)?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Reductions of tree removal resulting from this proposal could reduce erosion.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- h. Proposed measures to reduce or control erosion, other impacts to the earth, if any:**

None proposed.

## **2. Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood, smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

Not applicable. This is a non-project action that will not result in new emissions.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

None proposed.

## **3. Water**

### **a. Surface**

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City. Some affected parcels contain or are in the vicinity of surface water bodies.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City, some of which are located within a 100-year floodplain.

**(6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

Not applicable. The proposal is a non-project action that will not involve any discharge of waste materials.

**b. Ground**

**(1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

Not applicable. The proposal is a non-project action that will not involve any water withdrawals.

**(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example, domestic sewage, industrial, containing the following chemicals... agricultural, etc). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**c. Water Runoff (including storm water)**

**(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City.

**(2) Could waste materials enter ground or surface waters? If so, generally describe.**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City.

**d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

None.

**4. Plants**

**a. Check or circle types of vegetation found on the site:**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City. A variety of vegetation can be found within the City of Seattle. This proposal will specifically impact parcels containing trees.

- \_\_\_ - deciduous tree: alder, maple, aspen, other
- \_\_\_ - evergreen tree: fir, cedar, pine, other
- \_\_\_ - shrubs
- \_\_\_ - grass
- \_\_\_ - pasture
- \_\_\_ - crop or grain
- \_\_\_ - wet soil plants: cattail, buttercup, bulrush, skunk- cabbage, other
- \_\_\_ - water plants: water lily, eelgrass, milfoil, other
- \_\_\_ - other types of vegetation

**b. What kind and amount of vegetation will be removed or altered?**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City. This proposal clarifies the kind and amount of trees that can be removed or altered.

**c. List threatened or endangered species known to be on or near the site.**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City. Any threatened or endangered species are expected to be of such species that normally inhabit the City of Seattle.

**d. Proposed landscaping, use of native plants, other measures to preserve or enhance vegetation on the site, if any:**

None proposed.

**5. Animals**

**a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:**

As a non-project action, this question is not applicable. A variety of birds and animals can be found within the city of Seattle.

**birds: hawk, heron, eagle, songbirds, other:**

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**mammals: deer, bear, elk, beaver, other:**

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**fish: bass, salmon, trout, herring, shellfish, other:**

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**b. List any threatened or endangered species known to be on or near the site.**

The proposal is a non-project action affecting multiple parcels throughout the City. Any threatened or endangered species are expected to be of such species that normally inhabit the City of Seattle.

**c. Is the site part of a migration route? If so, explain.**

The proposal is a non-project action affecting multiple parcels throughout the City. A variety of migration routes can be found within the City of Seattle.

**d. Proposed measures to preserve or enhance wildlife, if any:**

None proposed.

**6. Energy and Natural Resources**

**a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City and does not address energy.

**b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City.

**c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

None proposed.

**7. Environmental Health**

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or waste, that could occur as a result of this proposal? If so, describe.**

No.

**(1) Describe special emergency services that might be required.**

Not applicable.

**(2) Proposed measures to reduce or control environmental health hazards, if any:**

None proposed.

**b. Noise**

**(1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City.

**(2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Not applicable.

**(3) Proposed measures to reduce or control noise impacts, if any:**

None proposed.

**8. Land and Shoreline Use**

**a. What is the current use of the site and adjacent properties?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City. A variety of land and shoreline uses occur on potentially affected parcels.

**b. Has the site been used for agriculture? If so, describe.**

Agriculture was an historic use of some parcels within the City of Seattle.

**c. Describe any structures on the site.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**d. Will any structures be demolished? If so, what?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**e. What is the current zoning classification of the site?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**f. What is the current comprehensive plan designation of the site?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A variety of comprehensive plan designations occur on potentially affected parcels.

**g. If applicable, what is the current shoreline master program designation of the site?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**h. Has any part of the site been classified as an environmentally sensitive area? If so, specify.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Some affected parcels contain environmentally sensitive areas.

**i. Approximately how many people would reside or work in the completed project?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**j. Approximately how many people would the completed project displace?**



None.

**k. Proposed measures to avoid or reduce displacement impacts, if any:**

None proposed.

**l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

None.

**9. Housing**

**a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

None.

**b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

None.

**c. Proposed measures to reduce or control housing impacts, if any:**

None.

**10. Aesthetics**

**a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Not applicable. This is a non-project action that does not propose the construction of any new structures.

**b. What views in the immediate vicinity would be altered or obstructed?**

Not applicable. This is a non-project action that does not propose the construction of any new structures. Protection of trees required by the proposed legislation may in some circumstances result in continued view obstruction.

**c. Proposed measures to reduce aesthetic impacts, if any:**

None proposed.

**11. Light and Glare**

**a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable.

**b. Could light or glare from the finished project be a safety hazard or interfere with views?**

Not applicable.

**c. What existing off-site sources of light or glare may affect your proposal?**

Not applicable.

**d. Proposed measures to reduce or control light and glare impacts, if any:**

None proposed.

**12. Recreation**

**a. What designated and informal recreational opportunities are in the immediate vicinity?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**b. Would the proposed project displace any existing recreational uses? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Protection of trees required by the proposed legislation may in some circumstances result in reduced opportunities for recreational users.

**c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

None proposed.

**13. Historic and Cultural Preservation**

**a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

Not applicable. Some parcels or portions of parcels that are listed, proposed to be listed or have listed or proposed objects on them may be located in affected areas. Any specific impacts to those places or objects would be identified on a project by project basis. The proposed legislation may result in the preservation of additional heritage trees.

**b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

See previous answer.

**c. Proposed measures to reduce or control impacts, if any:**

None proposed.

**14. Transportation**

**a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**15. How many parking spaces would the completed project have? How many would the project eliminate?**

Not applicable.

- a. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe. (indicate whether public or private).**

Not applicable.

- b. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Not applicable. However, some of the parcels that will be affected by this action could be in the immediate vicinity of water or rail transportation.

- c. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Not applicable.

- d. Proposed measures to reduce or control transportation impacts, if any:**

None proposed.

**16. Public Services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- b. Proposed measures to reduce or control direct impacts on public services, if any:**

None proposed.

**17. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- Not applicable.

The above answers are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Brennon Staley, Sustainable Communities Planner  
Department of Planning and Development

Date Submitted: May 11, 2010

\_\_\_\_\_  
(signature on file)  
William K. Mills, Senior Land Use Planner  
Department of Planning and Development

Date \_\_\_\_\_

#### **D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

(Do not use this sheet for project actions)

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

This proposal would not increase overall discharge of hazardous substances. The proposal may result in positive benefits to water, air, and noise quality where the requirement to retain trees preserves the following environmental benefits:

- Filtration of pollutants from the air
- Sequestration of carbon
- Absorption and retention of stormwater which reduces the quantity of runoff to the sewer system and provides for additional absorption into soil
- Buffering and dampening of noise

**Proposed measures to avoid or reduce such increases are:**

None proposed.

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

This proposal would likely benefit plants, animals, fish, and marine life by requiring the retention of additional trees. Retained trees may provide additional environmental benefits as discussed in question #1 as well as habitat for animals.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

None proposed.

**3. How would the proposal be likely to deplete energy or natural resources?**

This proposal will not deplete energy or natural resources. Minor, indirect negative impacts could occur in limited circumstances where shading caused by retained trees reduces the amount of natural light reaching structures and increases the need for artificial lighting or where it reduces the effectiveness of nearby photovoltaic cells. Overall, potential negative impacts are likely to be offset by potential positive impacts where retained trees provide shading in the summer time, which reduces air conditioning uses, and provide a buffer from wind in the winter, which increases thermal insulation.

**Proposed measures to protect or conserve energy and natural resources are:**

None proposed.

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

This proposal may benefit environmentally sensitive areas by retaining trees in such areas that may provide habitat for threatened or endangered species or create a buffer surrounding parks or designated Environmentally Critical Areas.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

None proposed.

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposal would not result in significant changes to land and shoreline uses. Minor, indirect negative impacts may occur where retained trees interfere with accessory uses such as gardens, recreational facilities, or photovoltaic power-generating equipment. Retained trees may also obstruct views in some circumstances.

**Proposed measures to avoid or reduce shoreline and use impacts are:**

None proposed.

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

This proposal is not likely to substantially increase demands on transportation or public services and utilities. Minor indirect negative impacts may occur where retained trees damage public infrastructure including sidewalks, roads, power lines, or underground utilities. Retained trees may also require additional tree trimming by City Light to maintain power lines.

**Proposed measures to reduce or respond to such demand(s) are:**

None proposed.

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

This proposal will does not conflict with existing laws or requirements for the protection of the environment.